

IC 16-31-3

Chapter 3. Certification Requirements for the Provision of Emergency Medical Services

IC 16-31-3-0.5

"Nontransporting emergency medical services vehicle" defined

Sec. 0.5. (a) As used in this chapter, "nontransporting emergency medical services vehicle" means a motor vehicle, other than an ambulance, used for emergency medical services.

(b) The term does not include an employer owned or employer operated vehicle used for first aid purposes within or upon the employer's premises.

As added by P.L.186-1995, SEC.7.

IC 16-31-3-1

Certification required

Sec. 1. (a) Except as provided in subsection (b), a person other than:

- (1) a licensed physician;
- (2) a registered nurse or an individual acting under the supervision of a licensed physician; or
- (3) a person providing health care in a hospital or an ambulatory outpatient surgical center licensed under IC 16-21;

may not furnish, operate, conduct, maintain, advertise, or otherwise be engaged in providing emergency medical services as a part of the regular course of doing business, either paid or voluntary, unless that person holds a valid certificate issued by the commission.

(b) A:

- (1) licensed physician;
- (2) registered nurse or an individual acting under the supervision of a licensed physician; or
- (3) person providing health care in a hospital or an ambulatory outpatient surgical center licensed under IC 16-21;

who operates a business:

- (A) of transporting emergency patients by ambulance; or
- (B) using a nontransporting emergency medical services vehicle;

must hold a valid certificate issued by the commission under this article.

As added by P.L.2-1993, SEC.14. Amended by P.L.186-1995, SEC.8.

IC 16-31-3-2

Standards for certifications

Sec. 2. The commission shall establish standards for persons required to be certified by the commission to provide emergency medical services. To be certified, a person must meet the following minimum requirements:

- (1) The personnel certified under this chapter must do the following:

- (A) Meet the standards for education and training established by the commission by rule.

- (B) Successfully complete a basic or an inservice course of education and training on sudden infant death syndrome that is certified by the Indiana emergency medical services commission (created under IC 16-31-2-1) in conjunction with the state health commissioner.
- (2) Ambulances to be used must conform with the requirements of the commission and must either be:
 - (A) covered by insurance issued by a company licensed to do business in Indiana in the amounts and under the terms required in rules adopted by the commission, taking into consideration recommendations of the technical advisory committee; or
 - (B) owned by a governmental entity covered under IC 34-13-3.
- (3) Emergency ambulance service shall be provided in accordance with rules adopted by the commission, taking into consideration recommendations of the advisory committee concerning staffing, equipping, and operating procedures. However, the rules adopted under this chapter may not prohibit the dispatch of an ambulance to aid an emergency patient because an emergency medical technician is not immediately available to staff the ambulance.
- (4) Ambulances must be equipped with a system of emergency medical communications approved by the commission. The emergency medical communication system must properly integrate and coordinate appropriate local and state emergency communications systems and reasonably available area emergency medical facilities with the general public's need for emergency medical services.
- (5) Emergency medical communications shall be provided in accordance with rules adopted by the commission, taking into consideration recommendations of the technical advisory committee concerning such matters.
- (6) A nontransporting emergency medical services vehicle must conform with the commission's requirements.

As added by P.L.2-1993, SEC.14. Amended by P.L.22-1994, SEC.4; P.L.186-1995, SEC.9; P.L.1-1998, SEC.117.

IC 16-31-3-3

Exceptions to certification requirement

Sec. 3. (a) A certificate is not required for a person who provides emergency ambulance service, an emergency medical technician, an ambulance, a nontransporting emergency medical services vehicle, or advanced life support when doing any of the following:

- (1) Providing assistance to persons certified to provide emergency ambulance service or to emergency medical technicians.
- (2) Operating from a location or headquarters outside Indiana to provide emergency ambulance services to patients who are picked up outside Indiana for transportation to locations within Indiana.
- (3) Providing emergency medical services during a major catastrophe or disaster with which persons or ambulances certified to provide emergency ambulance services are insufficient or unable to cope.

(b) An agency or instrumentality of the United States and any paramedic or advanced emergency technician of the agency or instrumentality is not required to:

(1) be certified; or

(2) conform to the standards prescribed under this chapter.

As added by P.L.2-1993, SEC.14. Amended by P.L.186-1995, SEC.10.

IC 16-31-3-4

Agencies and instrumentalities of the United States; exception to certification requirement

Sec. 4. An agency or instrumentality of the United States and emergency medical technicians or ambulances of the agency or instrumentality are not required to be certified or to conform to the standards prescribed under this article.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-5

Waiver of rules

Sec. 5. The commission shall waive any rule for a person who provides emergency ambulance service, an emergency medical technician, or an ambulance when operating from a location in an adjoining state by contract with an Indiana unit of government to provide emergency ambulance or medical services to patients who are picked up or treated in Indiana.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-6

Volunteer fire departments and firefighters; exception to certification requirement

Sec. 6. (a) As used in this section, "volunteer fire department" has the meaning set forth in IC 36-8-12-2.

(b) As used in this section, "volunteer firefighter" has the meaning set forth in IC 36-8-12-2.

(c) A certificate is not required for a volunteer fire department or volunteer firefighter to engage in extrication or rescue services.

As added by P.L.2-1993, SEC.14. Amended by P.L.1-1999, SEC.44.

IC 16-31-3-7

Withholding of certificates

Sec. 7. The commission may not withhold certification from a person providing emergency medical services that include extrication and rescue services because the person is not affiliated with a hospital, law enforcement agency, or fire department.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-8

Applications for certificates

Sec. 8. An application for a certificate must be made upon the forms, provide the information, and be in accordance with the procedures prescribed by the commission.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-9

Duration of certificates

Sec. 9. Except as otherwise provided in this chapter, all certificates are valid for a period specified by the commission unless earlier suspended, revoked, or terminated.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-10

Renewal of certificates; conditions

Sec. 10. (a) Except as provided in subsection (b), to renew a certificate issued under this chapter upon expiration of the certificate for any reason, a person must comply with any continuing education requirements that have been established by the commission. To renew a certificate issued under this chapter after a suspension, revocation, or termination of the certificate, a person must comply with all the requirements of this chapter that apply to the original certification.

(b) A renewal of an emergency medical technician certificate shall be issued to an individual who meets the following conditions:

(1) While holding a valid emergency medical technician certificate, enters the armed forces of the United States, including:

- (A) the army;
- (B) the navy;
- (C) the air force;
- (D) the marines; or
- (E) the coast guard;

but excluding the guard and reserve components of those forces.

(2) Is discharged from the armed forces of the United States forty-eight (48) months after the individual entered the armed forces.

(3) Successfully completes, not more than nine (9) months after the individual's discharge from the armed forces of the United States, a refresher course approved by the commission.

(4) Applies for the certificate renewal not more than one (1) year after the individual's discharge from the armed forces of the United States.

(5) Passes the written and practical skills examinations.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-11

Certificates nonassignable and nontransferable

Sec. 11. A certificate issued under this chapter is not assignable or transferable.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-12

Defacing, removal, and obliteration of official entries upon certificates prohibited

Sec. 12. An official entry made upon a certificate may not be

defaced, removed, or obliterated.
As added by P.L.2-1993, SEC.14.

IC 16-31-3-13

Cost of certificates

Sec. 13. Certificates issued under this chapter shall be issued without cost to applicants.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-14

Suspension and revocation of certificates; procedure; applications for renewal

Sec. 14. (a) Except as provided in subsection (d), after notice and hearing the commission may suspend or revoke a certificate issued under this chapter for failure to comply and maintain compliance with or for violation of any applicable provisions, standards, or other requirements of this chapter or rules adopted under this chapter.

(b) On motion of the commission or on the verified written complaint of an interested person, the director of the state emergency management agency shall conduct an investigation.

(c) Except as provided in subsection (d), the commission may initiate proceedings to suspend or revoke a certificate on the commission's own motion or on the verified written complaint of an interested person. All proceedings to suspend or revoke a certificate shall be conducted in accordance with IC 4-21.5-3.

(d) The commission or the director may, on finding that the public health or safety is in imminent danger, temporarily suspend a certificate without hearing for not more than ninety (90) days on notice to the certificate holder.

(e) On suspension, revocation, or termination of a certificate, the provision of the service shall cease.

(f) A written complaint filed with the commission and information pertaining to the complaint are confidential until one (1) of following occurs:

(1) Notice is sent under IC 4-21.5-3 that certification suspension or revocation proceedings relating to the complaint or information have been initiated.

(2) Notice is sent under section 17 of this chapter that a hearing is to be held concerning the imposition of a fine for a violation relating to the complaint or information.

(3) The complaint or information is required to be disclosed by the order of a court.

(g) The commission may suspend or revoke a certificate under this section for not more than seven (7) years from the date the suspension or revocation is effective. After the time set by the commission has expired, the certificate holder may apply for renewal of the certificate under this chapter.

As added by P.L.2-1993, SEC.14. Amended by P.L.65-1998, SEC.1.

IC 16-31-3-14.5

Permanent revocation of license or certificate for conviction of

drug offenses or crimes of violence

Sec. 14.5. The commission may permanently revoke a license or certificate under procedures provided by section 14 of this chapter if the individual who holds the license or certificate issued under this title is convicted of any of the following:

- (1) Dealing in or manufacturing cocaine, a narcotic drug, or methamphetamine under IC 35-48-4-1.
- (2) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.
- (3) Dealing in a schedule IV controlled substance under IC 35-48-4-3.
- (4) Dealing in a schedule V controlled substance under IC 35-48-4-4.
- (5) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5.
- (6) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.
- (7) Dealing in a counterfeit substance under IC 35-48-4-5.
- (8) Dealing in marijuana, hash oil, or hashish under IC 35-48-4-10(b).
- (9) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (8).
- (10) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (8).
- (11) A crime of violence (as defined in IC 35-50-1-2(a)).
- (12) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (11).

As added by P.L.65-1998, SEC.2. Amended by P.L.17-2001, SEC.2; P.L.1-2002, SEC.74.

IC 16-31-3-15

Unlawful display of green lights; suspension or revocation of certificates

Sec. 15. The commission may suspend or revoke the certificate of a person who:

- (1) holds an:
 - (A) emergency medical technician certificate;
 - (B) emergency medical service driver certificate; or
 - (C) emergency medical service first responder certificate; and
- (2) is convicted of violating IC 9-19-14.5;

in accordance with the procedures provided in section 14 of this chapter.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-16

Misrepresentation of certification; penalty

Sec. 16. A person who is not certified under this chapter and

identifies or holds out to other persons that the person is:

- (1) certified under this chapter; or
- (2) authorized to do any act allowed under this chapter;

commits a Class C misdemeanor.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-17

Violations of patient care standards or rules; penalties; procedure

Sec. 17. (a) The director may penalize an ambulance service provider or a person certified under this chapter not more than five hundred dollars (\$500) per occurrence for a violation of a patient care standard or rule that is established by the commission under rules adopted under IC 4-22-2.

(b) A civil penalty may be imposed only after a hearing on the imposition of the penalty has been held by the director or the director's designee. Notice of the hearing must be mailed to the provider at least ten (10) days before the date set for the hearing.

(c) An ambulance service provider or a person certified under this chapter who is penalized under this chapter may appeal the determination under IC 4-21.5. At the hearing, the provider or certified person is entitled to do the following:

- (1) Be represented by an attorney.
- (2) Present evidence in that person's behalf.
- (3) Cross-examine witnesses.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-18

Advanced life support; scope

Sec. 18. This chapter does not limit the scope of advanced life support.

As added by P.L.2-1993, SEC.14.

IC 16-31-3-19

Advanced life support operations subcommittee

Sec. 19. The commission shall appoint an advanced life support operations subcommittee to advise the commission on the development of:

- (1) standards for the certification of:
 - (A) provider organizations;
 - (B) paramedics;
 - (C) advanced emergency medical technicians; and
 - (D) supervising hospitals; and
- (2) rules governing the operation of advanced life support services.

As added by P.L.186-1995, SEC.11.

IC 16-31-3-20

Advanced life support services development; rules

Sec. 20. The commission shall adopt rules under IC 4-22-2 that promote the orderly development of advanced life support services in Indiana. The rules must include the following:

- (1) Requirements and procedures for the certification of provider organizations, paramedics, advanced emergency medical technicians, and supervising hospitals.
- (2) Rules governing the operation of advanced life support services, including the medications and procedures that may be administered and performed by paramedics and advanced emergency medical technicians.

As added by P.L.186-1995, SEC.12.

IC 16-31-3-21

Persons permitted to perform advanced life support

Sec. 21. (a) Notwithstanding any other law, a certified paramedic or an advanced emergency medical technician may perform advanced life support in an emergency according to the rules of the commission.

(b) Notwithstanding any other law, a person may, during a course of instruction in advanced life support, perform advanced life support according to the rules of the commission.

As added by P.L.186-1995, SEC.13.

IC 16-31-3-22

Advanced life support certification; exemptions; offenses

Sec. 22. (a) Except as provided in subsection (c), this section does not apply to the following:

- (1) A licensed physician.
- (2) A registered nurse or an individual acting under the supervision of a licensed physician.
- (3) A person providing health care in a hospital or an ambulatory outpatient surgical center licensed under IC 16-21.

(b) A person may not furnish, operate, conduct, maintain, or advertise advanced life support as a part of the regular course of doing business unless the person holds a valid certificate or provisional certificate issued by the commission to provide advanced life support.

(c) A:

- (1) licensed physician;
- (2) registered nurse or an individual acting under the supervision of a licensed physician; or
- (3) person providing health care in a hospital or an ambulatory outpatient surgical center licensed under IC 16-21;

who operates a business of operating an emergency ambulance service that provides advanced life support must hold a valid certificate issued by the commission under this chapter.

(d) A person who violates this section commits a Class C misdemeanor. Each day of continued violation of this section is a separate offense.

As added by P.L.186-1995, SEC.14.

IC 16-31-3-23

Use of an auto-injector by a certified emergency medical

technician

Sec. 23. An emergency medical technician or advanced emergency medical technician who is certified under this article may administer epinephrine through an auto-injector to an individual who is experiencing symptoms of an allergic reaction or anaphylaxis.

As added by P.L.17-2002, SEC.5.